

Notice of Allowability

Application No.

10/074,237

Applicant(s)

HUDSON, FREDERICK J.

Examiner

Art Unit

Igor N. Borissov

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview Summary of February 01, 2007.
2. ☒ The allowed claim(s) is/are 14,15,17 and 19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

Remarks

A personal interview was conducted on Thursday, February 02, 2007, during which possible amendments to the claim were discussed to overcome the teachings of the prior art of record, as well as to address 35 USC § 112 issues. Finally, the agreement was reached, and the examiner indicated allowability of the claims over the prior art of record. Accordingly, Claim Rejections under 35 USC § 112 and 35 USC § 103 have been withdrawn due to the applicant's amendment.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview with an applicant's representative Thomas J. McWilliams (Reg. No.: 44,930) on Thursday, February 01, 2007.

The application has been amended as follows:

IN THE CLAIMS

Claim 1 - 13. (Cancelled)

Claim 14. (Currently Amended) A method of controlling a materials management flow including at least one inventoried item moving through at least two distinct geographic locations, comprising:

scanning the at least one inventoried item upon entry into the materials management flow at a first local receiving station and scanning an identification of the

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first local receiving station, said first local receiving station located at a first of the distinct geographic locations;

scanning the at least one inventoried item upon exit from the first local receiving station;

scanning the at least one inventoried item at at least one secondary receiving station upon delivery of the item to the at least one secondary receiving station, and scanning the identification of the at least one secondary receiving station, said at least one secondary receiving station located at a second geographic location distinct from the first geographic location;

scanning the at least one inventory item upon exit from the at least one ~~secondary~~ ~~second local~~ receiving station;

scanning the at least one inventoried item at at least one tertiary receiving station upon final delivery of the item to the at least one tertiary receiving station, said at least one tertiary receiving station located at a third geographic location distinct from the first and the second geographic locations;

scanning the identification of the at least one tertiary receiving station upon said final delivery of the item; and

transmitting, entering, checking, and verifying the item's placement at at least one of the at least one secondary receiving station, and the at least one tertiary receiving station, by reconciling the identifications of each of the first local, the at least one secondary, and the at least one tertiary receiving stations and the at least one inventoried item with the materials management flow of record at a remote operation center externally connected to the first local receiving station, the at least one secondary receiving station, and the at least one tertiary receiving station.

Claim 15. (Currently Amended) A method of controlling a material flow, comprising:

coordinating ~~of at least one portion of the materials management system~~ material flow at a remote operation center;

externally transmitting at least one attribute to the remote operation center from at least one receiving station;

receiving the at least one attribute of at least one material flow item in the ~~at least one portion of the materials management system~~ material flow at the remote operation center;

updating the at least one attribute ~~to at least one updated attribute~~ at the remote operation center after said receiving;

externally transmitting the at least one update updated attribute from the remote operation center to the at least one receiving station;

gathering the at least one material flow item from one other of the at least one receiving ~~station~~ stations, after the at least one material flow item has had the at least one attribute externally transmitted from at least two of the at least one receiving stations, by a provider of delivery services; and

transmitting, entering, checking, and verifying ~~the at least one attribute and the at least one updated attribute at the~~ one other of the at least one receiving ~~station~~ stations by scanning an identification of each of the at least one receiving ~~station~~ stations, the at least one material flow item, and the provider of delivery services, and by reconciling the scanned identifications of each of the at least one receiving stations and the at least one material flow item with the material flow of record.

Claim 16. (Cancelled)

Claim 17. (Currently Amended) The method of claim ~~46~~ 15, further comprising ~~modifying~~ displaying the at least one ~~local~~ updated attribute at the remote operation center, ~~wherein the modified at least one local attribute is additionally substantially simultaneously reviewable~~ and at the at least one ~~local~~ receiving station.

Claim 18. (Cancelled)

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Claim 19. (Currently Amended) The method of claim ~~48~~ 15, wherein said ~~controlling~~ coordinating comprises receiving at least one system operator command from the at least one ~~local~~-receiving station, wherein the system operator command is ~~responsive to the substantially simultaneous review~~ entered at the at least one ~~local~~ receiving station by a system operator.

Allowable Subject Matter

Claims 14, 15, 17 and 19 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent claims 14 and 15, the best prior art, Radican (WO 99/38136), teaches a method for inventory monitoring, comprising: scanning the at least one inventoried item upon entry into the materials management flow at each of the plurality of receiving stations located at distinct geographic locations; obtaining an identification information of said receiving stations; scanning the at least one inventoried item upon delivery to and exit from each receiving stations prior to delivery of said item; scanning the at least one inventoried item at at least one tertiary receiving station upon delivery of the item; obtaining an identification of the at least one tertiary receiving station upon delivery of the item; and transmitting, entering, checking and verifying the item placement at at least one of the at least one secondary receiving station, and the at least one tertiary receiving station, at a remote operation center.

However, Radican fails to teach or fairly suggest that said verifying the item placement includes reconciling the identification of each of the first local, the at least one secondary, and the at least one tertiary receiving stations and the at least one inventoried item with the materials flow of record at said remote operation center.

The best domestic art, Cowe et al. (US 5,671,362), while teaching tracking objects over the delivery path, fails to teach or fairly suggest that said verifying the item placement includes reconciling the identification of each of the first local, the at least one secondary, and the at least one tertiary receiving stations and the at least one inventoried item with the materials flow of record at said remote operation center.

The best NPL prior art, EP Warehouse Inventory Automated Processing Software, while teaching the use of GPS systems and the Internet for tracking the delivery of objects, fails to teach or fairly suggest that said verifying the item placement includes reconciling the identification of each of the first local, the at least one secondary, and the at least one tertiary receiving stations and the at least one inventoried item with the materials flow of record at said remote operation center.

The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".

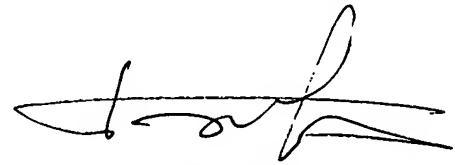
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 703-305-4649. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-308-2702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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2/04/2007



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PRIMARY EXAMINER